

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

AVCO CORPORATION,

No. 4:12-CV-1313

Plaintiff/Counterclaim Defendant,

(Judge Brann)

v.

TURN AND BANK HOLDINGS, INC.
and PRECISION AIRMOTIVE, LLC,

Defendants/Counterclaim Plaintiffs,

v.

AVSTAR FUEL SYSTEMS, INC.,

Counterclaim Defendant.

ORDER

AND NOW, this 22nd day of May 2017, in accordance with the Memorandum Opinion of this same date, **IT IS HEREBY ORDERED** that:

1. Turn and Bank Holdings, Inc. and Precision Airmotive, LLC's Motion to Strike Avco's Expert Report of Michael J. Dreikorn (ECF No. 260) is **DENIED**;
2. Avco Corporation and AVStar Fuel Systems, Inc.'s Motion for an Extension of the Page Limit on their Brief In Support of their Summary Judgment Motion (ECF No. 273) is **GRANTED IN PART** and **DENIED IN PART**. Parties will be granted leave to file briefs

both in support and opposition of any motion for summary judgment totaling forty-five (45) pages in length.;

3. Turn and Bank Holdings, Inc. and Precision Airmotive, LLC's Emergency Motion to Strike from the Report of Krista Holt and Exclude from Trial Testimony Based on Information Withheld During Discovery and for Contempt (ECF No. 274) is **GRANTED IN PART** and **DENIED IN PART**. AVStar's expert report is not stricken. Counsel for AVStar is, however, directed to produce the profit and cost documents upon which Ms. Holt relies within **seven (7) days of this Memorandum**. Precision/TNB will thereafter be granted leave to have its expert update her report based on these materials, at cost to AVStar. This update, and Ms. Holt's stayed deposition, are to occur **within forty five (45) days** of this Memorandum Opinion.;

4. Turn and Bank Holdings, Inc. and Precision Airmotive, LLC's Motion for Sanctions (ECF No. 287) is **DENIED**;
5. Turn and Bank Holdings, Inc. and Precision Airmotive, LLC's Motion to Strike Portions of the Rebuttal Expert Report of Joseph N. Welch II (ECF No. 293) is **DENIED**;

6. Turn and Bank Holdings, Inc. and Precision Airmotive, LLC's Emergency Motion to Place Plaintiff/Counterclaim Defendants' Motion for Sanctions and Exhibits Under Seal (ECF No. 295) is **DENIED AS MOOT**;
7. Avco Corporation and AVStar Fuel Systems, Inc.'s Motion for Sanctions (ECF No. 296) is **GRANTED IN PART** and **DENIED IN PART**. Avco/AVStar will be granted leave to re-depose Alan Jesmer and Peter Nielsen concerning customer confusion documents via videoconferencing, with expenses to be borne by Precision/TNB. Said depositions are to be completed **within forty five (45) days** of this Memorandum Opinion.;
8. The deadline for filing Motions for Summary Judgment and supporting briefs is **August 11, 2017**.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge